

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

TIME SCHEDULE ORDER No. 98-075

FOR

UNITED STATES NAVY, OWNER  
BROWN AND ROOT SERVICES COORPORATION, OPERATOR  
U.S. NAVAL AIR FACILITY, WASTEWATER TREATMENT PLANT  
West of El Centro - Imperial County

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter referred to as the Regional Board) finds that:

1. The United States Navy, Air Facility, El Centro, California (hereinafter referred to as the discharger) owns a wastewater treatment plant that provides service to the Naval Air Facility in El Centro, California. The discharger currently discharges an average daily flow of 200,000 gallons per-day (GPD) of treated effluent. The treatment plant has a design capacity of 300,000 GPD, and consists primarily of an oxidation ditch; a secondary clarifier; an ultraviolet disinfection system and sludge drying beds. The effluent from the treatment plant is discharged into the New River (a water of the United States), approximately 30 miles upstream from the Salton Sea, in the SE ¼ of Section 24 T15S, R12E, SBB&M.
2. On November 29, 1995, the Regional Board adopted Board Order No. 95-095, NPDES No. CA0104906, prescribing waste discharge requirements, which allows the discharge of secondary treated wastewater to the New River.
3. The wastewater treatment plant was upgraded in July 1996. However, these improvements were short-lived, as there have been ongoing problems with the treatment plant:
  - a. On August 29, 1996, Regional Board staff inspected the treatment plant, and found that the overflow weir in the clarifier was not level (this prevents the solid particles in the wastewater from settling properly); thus, the wastewater is being partially treated.
  - b. On October 16, 1996, a plugged transfer line between the oxidation ditch and the clarifier caused approximately 500 gallons of mixed liquor to overflow into the storage basin.
  - c. On April 24, 1997, Regional Board staff inspected the treatment plant, and found that the clarifier was still not level. Furthermore, staff was informed that the influent flow meter had not been professionally calibrated.
  - d. On February 5, 1998, Regional Board staff inspected the treatment plant, and found that the clarifier was still not level. Also, staff was informed that the influent flow meter could be unreliable at times.
4. During the weekend of April 4-5, 1998, one of the two aerator brushes of the oxidation ditch malfunctioned. As a result, a maximum of 87,000 gallons of untreated wastewater flowed through the treatment plant.
5. The flow through of raw sewage overloaded the clarifier and the disinfection chamber with solids. Presently, these two components of the treatment plant do not provide reliable treatment of wastewater.

6. This discharge is in violation of Prohibition No. 3 of Board Order No. 95-095, which states:

“The bypass or overflow of untreated wastewater or wastes to the New River is prohibited, except as allowed by Standard Provision No. 13, as contained in the Standard Provisions for National Pollutant Discharge Elimination System Permit (Hereinafter Standard Provisions), dated October, 1990.”
7. This discharge is in violation of Discharge Specification No. 1 of Board Order 95-095, which states:

“The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in sections 13050(l) and 13050(m) of Division 7 of the California Water Code.”
8. Section 13050(l) of the Porter-Cologne Water Quality Control Act states:
  - (1) “Pollution” means an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following:
    - (A) The waters for beneficial uses.
    - (B) Facilities which serve the beneficial uses.
  - (2) “Pollution” may include “contamination.”
9. Section 13050(m) of the Porter-Cologne Water Quality Control Act states:

“Nuisance” means anything which meets all of the following requirements:

  - (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  - (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  - (3) Occurs during, or a result of, the treatment or disposal of wastes.
10. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and surface waters in this Region.
11. The beneficial uses of waters in the New River are:
  - a. Fresh Water Replenishment of Salton Sea (FRSH)
  - b. Water Contact Recreation (REC I)<sup>1, 2</sup>
  - c. Non-contact Water Recreation (REC II)<sup>1</sup>
  - d. Warm Water Habitat (WARM)
  - e. Wildlife Habitat (WILD)
  - f. Preservation of Rare, Endangered or Threatened Species (RARE)

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<sup>1</sup> Unauthorized Use

<sup>2</sup> The only REC I usage that is known to occur is from infrequent fishing activity.

12. Corrective actions by the discharger are necessary in order for the wastewater treatment plant to comply with the requirements of Board Order No. 95-095.

13. Section 13300 of the California Water Code states:

"Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, ..., the board may require the discharger to submit for approval of the board, with such modifications as it may seem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."

14. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

1. The discharger shall take specific actions as indicated in the following time schedule to achieve compliance with all requirements of existing or future waste discharge requirements issued to the discharger by the Regional Board:

Task	Completion Date	Task Description
1	August 1, 1998	Rehabilitation of the clarifier
2	August 1, 1998	Rehabilitation of the ultraviolet disinfection treatment system
3	August 1, 1998	Reliable methods to measure the influent and effluent shall be installed
4	December 31, 1998	Sampling stations shall be installed wherever samples are collected
5	December 31, 1998	A warning mechanism to inform of plant failure shall be installed

2. The discharger shall submit monthly reports, due by the 15<sup>th</sup> of every month, explaining the progress towards compliance with the above tasks.

If in the opinion of the Regional Board's Executive Officer, the discharger fails to comply with this time scheduled order, the Regional Board's Executive Officer may issue a complaint against the discharger under Article 2.5, Chapter 5, Division 7 of the California Water Code, and seek the appropriate administrative civil liability and/or request the Attorney General to take appropriate action against the discharger including the injunction and civil monetary liability as deemed appropriate.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on May 28, 1998.

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Executive Officer